

## **Joint Letter from Congressmen Rodriguez and Poe Asks President to Consider Pardon**

(Washington, DC) - Friday, in a letter to President Bush, Congressman Ciro Rodriguez called on the President to fully review the investigation and conviction of Edwards County Deputy Guillermo "Gilmer" Hernandez. Upon review of the evidence, Rodriguez also urged the President to consider exercising his Constitutional authority to grant a pardon should it be merited.

"I am deeply disturbed by the circumstances surrounding the conviction of Deputy Hernandez, and I believe it is critically important for the President to examine the case and consider exercising his Constitutional authority to grant a pardon as a means of correcting this injustice.

Even with limited resources, our border sheriff departments work hard to protect their communities and in many cases to support our national efforts to stop illegal immigration. We should not be targeting for prosecution border law enforcement agents, like Deputy Hernandez, who make every effort to perform their duties responsibly.

I continue to stand with the Edwards County community and urge the President to do what's right."

Dear President Bush:

We are writing you in the hopes that you will take swift action in reviewing the federal prosecution brought against Edwards County, Texas Deputy Sheriff Guillermo 'Gilmer' Hernandez, who was sentenced to 1 year and 1 day in United States District Court for the Western District of Texas on March 19th in what we believe to be an unjust prosecution. Further we are asking that you exercise your authority under Article II, Section 2 of the Constitution and consider an immediate pardon for Deputy Hernandez.

Deputy Hernandez was making what he thought to be a routine traffic stop on the evening of April 14, 2005 in Rocksprings, Texas when the vehicle that he pulled over for running a red light suddenly attempted to run into him as it sped away. Feeling that his life was being threatened, Deputy Hernandez made a split-second decision and fired shots at the vehicle's tires to disable the vehicle. A bullet fragment regretfully struck one of the occupants who was being smuggled into the country illegally from Mexico. It is important to note that this was not an injury that was willfully inflicted and Deputy Hernandez has been fully cooperative and forthcoming with investigators.

In an independent investigation of the incident conducted by the Texas Rangers at the request of the Edwards County, Texas Sheriff, it was determined that Deputy Hernandez acted lawfully and within the law when he fired his weapon. In our view, this is a case that federal prosecutors should have never been involved with in the first place as the investigation was abruptly taken over from the Texas Rangers and expanded upon. Deputy Hernandez simply utilized his training and followed the letter of the law and we do not believe he deserved prosecution.

We ask that you utilize your authority to investigate the actions taken in this case by the U.S. Attorney's office. Should the evidence show he committed no wrongdoing, we encourage your consideration for a pardon for Deputy Hernandez so that he can avoid the unjust prison sentence facing him.

Sincerely,

Ted Poe

Ciro Rodriguez

Member of Congress

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